



Nightlife Advisory Board Final Report

Introduction

The Seattle City Council formed the Nightlife Advisory Board (NAB) to advise the City Council on a number of issues relating to nightlife within the City of Seattle. The NAB was not asked to develop any new regulations regarding nightclubs, but was tasked with providing advice on the implementation of existing City ordinances and resolutions, including:

- City Ordinance Number 122614, related to noise
- City Resolution Number 31004, related to best practices
- City Ordinance Number 122473, related to public nuisances
- City Ordinance Number 122474, related to safety plans
- LIQUORSTAT, The City's new nightlife establishment database
- State Engrossed House Bill 2113, related to liquor license issuance and renewal

Resolution 31003, which created the NAB, states that NAB will be composed of nine members: three representatives from the music and nightlife industry, three representatives from downtown neighborhoods, one representative with a law enforcement background, one representative with current or past affiliation with the Washington State Liquor Control Board, and one representative with a background in acoustical engineering or a similar field. NAB members will be appointed by the Seattle City Council.

The City Council seeks to support a vibrant nightlife industry, and the economic contribution it brings to the City, and to ensure that neighborhoods are livable - to strike an effective and sustainable balance that results in a safe and vibrant nightlife in Seattle. The goal of the NAB is to develop recommendations for policies and actions that improve conditions experienced by both the nightlife industry and downtown neighbors.

Chris Hoffman, Vice President of Norton-Arnold & Company, was selected in December 2007 to develop the NAB's work plan, identify and recommend NAB members, facilitate NAB meetings, and report the results of the NAB's work. This report documents the results of the NAB's work in 2008 and 2009. The NAB has met 11 times between June 2008 and December 2009 and is set to sunset on December 31, 2009. The recommendations included in this document represent the work of the NAB over that time period. The ordinance that created the NAB identified a number of topics for it to address. However, the number and the complexity of the issues required that the NAB prioritize its work on the most

important topics. The NAB focused its efforts on four topics, which are listed below in order of importance:

- Providing law enforcement effective tools to enforce public nuisances and disturbances.
- Providing a process for measuring amplified noise levels and determining noise levels that would constitute a violation to support the implementation of Ordinance 122614.
- Improving communication and collaboration between nightlife establishments and the Seattle Police Department.
- Providing a set of voluntary best practices for nightlife establishments.
- Promoting awareness of nightlife establishment patrons about responsible behavior.

The NAB believes that the recommendations provide a full suite of actions that can address many of the nightlife issues within the City. The recommendations provide a balanced approach in that they require nightlife establishments, patrons, the Seattle Police Department (SPD), and residents to all play a role in creating and supporting a safe and vibrant nightlife within the City.

Report Format

The following sections of this report provide recommendations developed by the NAB. The heading for each section describes the general topic area for the recommendation within them. Each section identifies:

- Specific **recommendations**
- What **action** is required
- Who is **responsible** for taking action
- **Context**, or summary discussion of the issue the recommendation intends to address.

The recommendations in this report that are described in the *Public Nuisances and Disturbances* and *Improve Communication and Collaboration* sections were developed in concert and are intended to address a range of issues. Recommendations in this report that are described in the *Noise Ordinance* and *Best Practices* sections were developed to address a specific need and are intended to serve as “stand alone” recommendations.

Public Nuisances and Disturbances

Recommendation #1

Revise City Ordinances to allow Seattle Police greater ability to enforce public nuisances and disturbances violations, specifically fighting and drunk and disorderly conduct. Provisions should be made to allow officers to issue a warning, for individuals to voluntarily correct or cease the behavior,

and for officers to issue a citation in the form of a ticket to those who do not correct or cease the behavior.

The NAB agrees that this recommendation provides the greatest opportunity to address undesirable behavior and thus address one of the biggest problems often associated with nightlife. The NAB believes that the recommended code revision will have a number of benefits, including:

- The identification of “problem patrons”, who will then have any offenses as part of their record.
- The “power of persuasion”: knowledge of the law and the fine should persuade the majority of individuals from engaging in the behavior.

Required action(s): As this recommendation is regulatory, it will require review and potentially modification of existing criminal code.

Responsibility: Executive and City Council

Recommendation #2

Expand duties of Metropolitan Improvement District (MID) to cover downtown nightlife areas and to serve as nighttime ambassadors. In this capacity ambassadors could promote responsible behavior and could serve as a communication link to the Seattle Police Department.

Required action(s): Coordination with Downtown Seattle Association to explore and evaluate options for implementing and funding such a program.

Responsibility: Executive, City Council, and Downtown Seattle Association

Recommendation #3

Develop a comprehensive and creative public awareness and education campaign that targets patrons and promotes responsible behavior. A pilot program with an evaluation component implemented in a specific area may be the most effective means to determine the utility of a broader campaign. Belltown, with its high concentration of relatively large establishments could be a good location for a pilot program. A similar program could target University of Washington students.

Required action(s): The development of a program using existing city resources, or through a contract with a creative services agency (public relations, advertising, etc.)

Responsibility: Executive and City Council

Context: Undesirable behavior by patrons after they leave nightlife establishments has been cited as a major issue. As defined, this behavior includes but is not limited to illegally consuming intoxicating liquor, publicly urinating or defecating, causing fear of bodily injury, engaging in acts of violence (including fighting), discharging firearms, creating unreasonable noise that disturbs others, and intentionally obstructing pedestrian or vehicular traffic. Public nuisances and disturbances are difficult to

deal with as they cannot be directly controlled by establishments (the best practices do identify steps that can be taken within establishments to encourage responsible behavior once patrons leave), and, due to current City laws, the police have limited tools to deal with such behavior. Because this undesirable behavior occurs in a public setting often late at night, it can affect an entire neighborhood and can lead to negative perceptions of nightlife establishments (“they are promoting drunken behavior!”) and the police (“they are just ignoring the problem!”). While it is impossible to control all behavior defined above, the ability of officers to enforce the public nuisances and disturbances violations through citations provides a tangible means to address this problem.

While the NAB believes that the ability to enforce undesirable behavior is necessary, they also believe that there are steps that can be taken that can improve patron behavior and reduce the need for enforcement. There are other cities that have successfully expanded responsibilities of their downtown improvement districts to include nighttime programs. There are also examples of successful awareness campaigns that have targeted patron behavior. The NAB agrees that a full range of options need to be pursued in order to address public nuisances and disturbances related to nightlife activities.

Improve Communication and Collaboration

Recommendation#1

Encourage nightlife establishments to maintain regular contact with Seattle Police and to provide information about:

- a. Upcoming events/promotions so that police can plan and prepare for events and promotions that attract large crowds.
- b. Potential problems, or problems that are currently being handled inside establishments, so that police know what to expect and can respond quickly to prevent a problem or address a problem before it escalates into a larger problem.

Required action(s): The development of a web-based calendar that be used by nightlife establishments to upload event information (projected size, type, date, time, etc.) and monitored by the Seattle Police Department.

Responsibilities: Executive (authorizing development of the calendar), Seattle Police Department (developing and monitoring the calendar), nightlife establishment (regularly uploading event information)

Recommendation#2

Encourage and support the Seattle Police Department’s neighborhood policing efforts, which include allocating resources and personnel based on needs at specific locations and at specific times of the day/night.

Required action(s): Adopt Resolution that supports SPD's *Neighborhood Policing Staffing Plan 2008-2012*.

Responsibility: City Council

Recommendation#3

Encourage and support the Seattle Police Department's plans to offer and hold regular meetings with establishment owners to talk about and jointly find solutions to nightlife issues.

Required action(s): Allocate budget and resources necessary for the Seattle Police Department to hold regular meetings with nightlife industry owners and representatives.

Responsibility: City Council and Executive

Recommendation#4

Encourage nightlife establishments and SPD to work together on strategies for managing closing time let out.

Required action(s): Allocate budget and resources to enable nightlife establishments and SPD to work together on strategies for managing closing time let out, and authorize SPD to initiate and participate in this process.

Responsibility: City Council and Executive (authorization and allocation); SPD and nightlife establishments (participation)

Context: The NAB believes that improving communication and collaboration between the Seattle Police Department and nightlife establishments is critical to achieving a safe and vibrant nightlife in Seattle. Relationships between nightlife establishments and the SPD have, at times, been strained. Some establishments avoid calling the police at all costs for fear that any call is perceived as a negative mark against their establishment. More recently establishments and the police have taken positive steps to improve communications and better collaborate on nightlife-related issues. For example, SPD has hosted community meetings in the west and east precincts with nightlife establishments as a way to promote communication and build relationships. SPD is also in the process of modifying how they assign officers to shifts so that they can be more responsive to the specific needs of each precinct (see the Seattle Police Department's *Neighborhood Policing Staffing Plan 2008-2012*). These efforts are supported by the NAB and are certainly steps in the right direction. However, there is more that can be done. For example, SPD currently does its own internal tracking of nightlife events via multiple sources (websites, flyers, etc.) as a means to help determine where to allocate resources on any particular night. If establishments worked with SPD and provided event calendars to SPD, SPD could spend less time tracking events and could more proactively assign officers to where they might be needed on any given night. Finally, the issue of crowd management at closing, especially in areas with a high concentration of establishments or areas with high occupancy establishments, has been a specific area that demands better cooperation between establishments and SPD. The NAB believes the discussion needs to advance

beyond who is responsible for what and move toward a combined effort to find a workable solution to the problem.

Noise Ordinance

The NAB finalized its recommendations related to Noise Ordinance 122614, to control amplified noise, in November 2008 and presented them to City Council in December 2008. However, as it is the NAB's understanding that the noise ordinance rules have not been finalized or implemented, the NAB would like to submit its recommendations on noise ordinance rules as part of its final presentation.

Recommendations

The NAB developed recommendations to address two areas: 1) Noise threshold levels and measurement procedures, and; 2) Ambient noise levels.

The full set of noise ordinance recommendations are provided in Attachment A of this document.

Required action(s): Inclusion of the recommendations in Attachment A as the "rules" discussed in Section 16 of Ordinance Number 122614. Allocate budget and resources necessary to implement and enforce the rules.

Responsibility: City Council and Executive

Context: The Seattle City Council passed Ordinance 122614 to control amplified noise to a level that does not disturb people in their homes. The ordinance describes a process for measuring noise and for enforcing the ordinance, including warnings and penalties to the establishment responsible for the noise. Section 16 of the ordinance identifies a set of rules that need to be further clarified prior to implementing the ordinance, and defines a clear role for NAB in developing these rules. The ordinance states that:

The City Council directs that the Administrator promulgate rules to implement this ordinance. Such rules shall include definitions of or implementation procedures for determining "plainly audible to a person of normal hearing" and "when measured inside a receiving dwelling unit." Such rules shall also, among other things, set threshold dB(A) levels and threshold dB(C) levels, measured as an increase in the sound level above the ambient noise level, for violations of Section 25.08.501. The rules may include different threshold levels for areas that are zoned to allow a variety of land uses in close proximity to residential uses. The rules may also include procedures for measuring sound levels to determine if a violation has occurred. These rules shall be developed in consultation with the Nightlife Advisory Board and shall be effective no later than June 1, 2008.

Best Practices

The best practices recommendations are divided into two parts. The first part (**Implementation**, described below) provide recommendations for how the best practices can be implemented: promoted and distributed to ensure a high rate of adoption by nightlife establishments. The second part (**the content**, described in Appendix B) identifies the specific practices that are intended to be voluntarily adopted by nightlife establishments.

Implementation Recommendations

Recommendation #1

The City should produce the best practices in an attractive easy-to-use format, such as a handbook.

Required action(s): Allocate budget and resources necessary to produce and distribute a best practices guide or handbook using the content developed by the NAB.

Responsibility: Executive, most likely through the Office of Film + Music

Recommendation #2

The City should promote and distribute the best practices using a variety of methods in order to maximize the adoption rate by Seattle's nightlife establishments. These methods could include:

- a. Outreach via the City of Seattle's Office of Film + Music.
- b. Outreach to associations, such as the Washington Restaurant Association and the Seattle Nightlife and Music Association.
- c. Inclusion of the best practices on the Washington State Liquor Control Board's (WSLCB) website and in its on-line liquor license orientation.
- d. Direct distribution to nightlife establishments that have been cited or have been the source of multiple complaints.

Required action(s): Coordinate with associations and WSLCB to determine and implement the most effective methods for distributing the best practices to nightlife establishments.

Responsibility: Executive, most likely through the Office of Film + Music (coordination and implementation), Associations and WSLC (implementation)

Recommendation #3

The City should develop a best practices adoption strategy and offer incentives to encourage adoption of the best practices. For example:

- a. Inform neighborhood organization about the best practices and the nightlife establishments that have adopted them.
- b. Develop and promote a “seal of approval” reward program and recognize establishments that adopt the best practices.

Required action(s): Outreach to neighborhood organizations whose boundaries include nightlife establishments to inform them about the establishments that have formally adopted the best practices. Allocate resources and budget to develop a program that provides incentives to nightlife establishments to adopt the best practices.

Responsibility: Executive, most likely through the Office of Film + Music

Content Recommendations

The NAB developed best practices to cover the following topic areas:

- Security, in and outside establishments
- Employee training
- Noise
- Closing time procedures
- Neighbor relations
- Police relations
- Promotions and advertising

The best practices are included in Attachment B of this document.

Required action(s): Adopt a Resolution that formalizes the City’s support of the best practices and describes the plan for encouraging nightlife establishments to adopt the best practices.

Responsibility: City Council (Resolution), Nightlife establishments (Adoption)

Context: The best practices will only be useful and have the desired effect if they are actively promoted to nightlife establishments and if establishments adopt them.

Best Practices for nightlife establishments been developed by the NAB to serve as a set of voluntary and relatively simple guidelines for establishments to follow to help them be successful and minimize conflicts and problems. The NAB believes strongly that the best practices should not be onerous for establishments to follow, nor should they dictate actions that are costly to implement. The NAB is concerned that nightlife establishments are already highly regulated and should not be faced with additional regulations, and submits the best practices as an alternative to additional regulations.

Ideas considered but not adopted

In addition to the recommendations presented in this document, the NAB considered a number of other ideas. For a number of reasons, the NAB did not fully support these ideas but wanted to provide the City

Council with a full accounting of its work. The ideas, and the reasons they were not provided as recommendations, are described below.

- 1) Develop an awareness campaign that encourages responsible patron behavior and provide technical assistance, i.e. develop standard, recognizable signage promoting awareness about the neighborhood patrons are entering when they leave establishments.

The NAB felt this recommendation was too broad and that the Public Nuisances and Disturbances recommendation #3 was better because it targeted specific behavior.

- 2) Direct the Office of Film + Music to work with the Seattle Nightlife and Music Association (SNMA) and other interested parties in the promotion of the full array of nightlife opportunities as part of the City's "City of Music" initiative.
- 3) Encourage nightlife establishments to organize via an association such as the SNMA and partner with the City of Seattle's Office of Film + Music to develop a marketing/branding/education campaign or program that promotes nightlife, the responsible enjoyment of nightlife, and that informs prospective and new neighbors about nightlife within various city neighborhoods. This could include clear, consistent, and recognizable signage/messaging about responsible behavior in and outside establishments, physical advertising, and radio and magazine promotions. It could also include pamphlets, flyers, and a website that would be made available to new and prospective neighbors to inform them about the nightlife that exists within the neighborhood into which they are moving.

The NAB felt that these two recommendations were good ideas but that they went beyond what they perceived as their scope of work, and that they weren't focused enough to be effective.

- 4) Require developers and real estate agents to inform prospective renters and buyers about the daytime and nighttime environment in the neighborhoods in which they are working.

The NAB felt that this recommendation could give real estate developers and agents an unintended "easy out" and that the focus should be on requiring developers to adopt construction standards that reduce noise levels within residences near nightlife establishments.

- 5) Renew and/or initiate discussions with the Washington State Liquor Control Board regarding serving hours and bottle sales limitations and request they consider loosening these and other laws that allow nightlife establishments to offer a wider array of experiences to their patrons.

This recommendation was generally supported by nightlife representatives, but was not by neighborhood representatives. There was also some concern that this recommendation went beyond the NAB's scope of work. Those in favor of this recommendation indicated that well-run and successful establishments in Seattle often have a difficult time maintaining a viable and profitable business. A number of reasons have been cited and include: liquor laws that limit serving hours to 2 a.m. and prohibit bottle sales; new licensing requirements; and, new requirements for sprinkler systems. These reasons make it difficult for many establishments to afford expensive solutions such as soundproofing,

improved external lighting, and CCTV cameras. Additionally, some NAB members indicated that the allowance of, for example, bottle service, would permit establishments to market to a more mature audience and that this, in turn, could lead to fewer problems and more diversity and prosperity within Seattle's nighttime economy. Moreover, the point was made that it is legal for patrons to buy unlimited number of shots, and that there is little difference between serving unlimited shots and a bottle. Some would argue that the service of a bottle encourages more responsible behavior than the service of numerous shots.

Those not in favor of this recommendation were concerned about the impacts of extending services hours, the fear being that extended service hours would prolong the noise and other issues associated with closing time let out.

- 6) Create a stronger police presence in areas with a high concentration of nightlife establishments or areas with high occupancy establishments, specifically around closing time.

The NAB felt that this recommendation was too prescriptive and that Improve Communication and Collaboration recommendation #3 better captured the intent of what they believe needs to be done.

- 7) Work with taxicab companies to identify locations for taxi stands in nightlife areas as a way to encourage crowd dispersal around closing time.

The NAB felt that people waiting for taxicabs does not significantly contribute to public nuisance behavior or disturbances and that could actually lead to greater concentration of people on the street in particular areas at closing time.

- 8) Reach out to parking lot owners with lots near nightlife establishments and work in partnership with them to develop strategies to reduce public nuisance behavior on their property. Strategies could include nighttime staffing, lighting, CCTV cameras, and closer communication and collaboration with Seattle Police.

The NAB felt that this was a good idea but that it was not fair to make this recommendation since parking lot owners were not involved on the NAB.

- 9) Pool your resources: Work with other establishments to promote nightlife in general and the many different options that can be found in your specific area.

The NAB felt that since most establishments view other establishments as competitors that this best practice would not be followed and could undermine the legitimacy of the other best practices.

Attachment A: Noise Ordinance Recommendations

Noise Threshold Levels and Measurement Procedures

Recommendation #1: Permissible noise threshold levels from Nightlife establishments shall be defined as 55 dBA and 65 dBC in residential neighborhoods, and 70 dBA and 80 dBC in urban centers (some exceptions may be needed). Measurement of the sound level shall be located at a point 6 feet from the exterior of the Establishment and averaged over not less than a 2 minute period. Measurements shall document all points of greatest sound transmission, which will typically occur at doors, glazing and vents.

In addition, we recommend that:

- Language be added to the Seattle Building Code that requires developers to design mixed-use facilities to minimize sound transfer to residential units above commercial space. Where a nightlife use is anticipated, a suggested criterion for consideration is STC 65 for the floor/ceiling construction. Additional language would need to be developed to minimize the transfer of vibrational energy and flanking through doors and windows.

Recommendation #2: Violation of the noise ordinance should not be based on the criteria of “plainly audible to a person of normal hearing”, and instead should be determined through more objective and defensible noise threshold levels (definitions) described in Recommendation #1.

Context: Both sections 3 and 16 of the noise ordinance reference the term “plainly audible to a person of normal hearing” and indicate that a definition of what level of amplified noise is plainly audible to a person of normal hearing should be established. It is the NAB’s conclusion, based on the advice, experience and knowledge of NAB Noise Expert Julie Wiebusch, that attempting to define a noise threshold level that meets this criterion is not defensible and should not be part of any definition that is used to determine noise threshold levels. Establishing that the complainant was a person of “normal hearing” would require verification from an Audiologist which would not necessarily identify conditions such as Tinnitus and Auditory Hallucinations which could be affecting the individual’s perception of sound. The criteria also would also unfairly discriminate against those individuals with any hearing impairment, eliminating their credibility as a witness and dilute their complaint. The statement “plainly audible” is highly subjective and based on personal perceptions, which could be colored by personal agendas. This criterion would be extremely difficult to enforce.

Recommendation #3: The City should adopt the following procedures to enforce this ordinance:

- Noise inspectors shall be required to undergo training by a recognized noise professional in proper measurement techniques.
- All measurements shall be conducted at six feet from the exterior of nightlife establishments building façade, at the point(s) of greatest acoustic weakness.
- Intermittent neighborhood noise sources, such as bus traffic, sirens, patron noise, etc, shall not be included in the measurement average, to the extent possible.

- If multiple nightlife establishments occur in close proximity, it may be necessary for the inspectors to require a short break in the amplified activity from each of establishment in order to determine the contribution to the sound level from each establishment individually.
- To ensure accuracy, conduct measurements in the following manner: one inspector shall contact the Establishment's owner/manager while the second inspector contacts the engineer controlling the sound board. No adjustments to level will be allowed at this point. The first inspector will then proceed outside the Establishment to measure the sound level with the owner/manager present; the second inspector will remain inside located at the establishment's sound board to ensure that adjustments are not made to the level.
- Implement a two-pronged measurement program that consists of the following elements:
 - *Proactive*: Conduct random monitoring of nightlife establishments using an approach similar to health inspections to (a) inform establishments if they are 1 to 2 decibels over noise threshold levels, (b) issue warnings for the first time establishments are 3-4 decibels are over noise threshold levels, and (c) issue citations the second time establishments are 3-4 decibels over noise threshold levels and any time establishments are 5 decibels over noise threshold levels. Document all measurements thoroughly.
 - *Responsive*: Conduct noise measurements at specific nightlife establishments in response to complaints. Develop a priority system for response that takes into account random monitoring results, frequency of complaints, and complaints received from multiple sources. Warnings and citations should be issued as described above. Note: it is critical that measurements be made the same night the complaint is issued, if at all possible, as the program material another night will not represent conditions under which the complaint was filed.

Context: The NAB acknowledges that Section 16 of the Noise Ordinance directs the measurement of noise levels within dwelling units. We discussed a number of scenarios to implement this directive and could not come to agreement on a set of procedures to do so in an effective or objective manner.

Concerns identified with conducting measurements within dwelling units included:

- Ability to measure noise levels when the reported noise occurs.
- Determining the source of the reported noise. In an area with multiple venues, it is likely that a measurement at the source (establishment) would be required to determine which venue was the offender.
- Determining appropriate locations and conditions within dwelling units for measurement (windows open or closed, time of night, etc.).
- Willingness of occupants to allow inspectors to conduct measurements.

Ambient noise levels

Recommendation #4: Basing the ordinance on a sound level above ambient as the starting point to determine if a violation has occurred presents a complex and varying set of parameters. NAB recommends that the City does not base the ordinance on a level above ambient threshold.

Context: The NAB extensively discussed the ambient noise level issue. It was agreed that the ambient level would need to be established prior to an inspection measurement as there would be little opportunity for the inspector to determine ambient at the time of complaint. Sample measurements were made at 5 locations representing 4 neighborhoods documenting both dBA and dBC values. Measurements were made for a minimum of 24 hours in not less than 1 hour increments. Some of the locations included a “high” nightlife period (Friday/Sat) and a “low or moderate” nightlife period (Wed/Thurs) for comparison. The NAB noise expert also contributed archived A-weighted data from previous studies to broaden the picture with the number of neighborhoods represented. Noise levels fluctuate significantly not only between neighborhoods but also within a given time period within the same neighborhood. For instance, in the Pioneer Square area a passing bus will momentarily raise the noise level to 83 dBA while a quieter period with minimal traffic is 57 dBA. This raised the question of, “Do we want to include these high noise transient events (busses, trains, planes, etc) as part of the ambient or would it be more precise to factor them out in setting ambient?” We then considered what time period would be appropriate to determine ambient. Ambient levels typically decrease in the evening and nighttime hours. Initially we looked at an 8:00 PM to 10:00 PM time frame. However, it was agreed that a later period, such as 10:00 PM to 2:00 AM may better reflect ambient levels when residents were likely to be asleep. Looking at the data, it was also evident that for many locations a weeknight ambient was different than a weekend ambient due to the amount of traffic and activity on the streets. These results lead us to conclude that ambient noise levels would have to be set, at the minimum, for each neighborhood, and more likely for individual locations around nightlife establishments, possibly with weekend and weekday levels. This would become extremely cumbersome for the inspectors who would need to carry an ambient matrix listing every establishment in the City. Documenting all of the ambient conditions, and updating the information yearly, would also represent a significant cost to the City.

Attachment B: Best Practices - Content

Introduction

The best practices for nightlife establishments are intended to be voluntarily adopted by Seattle's nightlife establishments as a means to promote a safe and vibrant nightlife and to seamlessly integrate nightlife-related and non-nightlife related small businesses and residences into one community. The best practices are not intended to be a panacea for all nightlife issues, as it is impossible to account for and control all situations and the behavior of all patrons. The best practices are also not intended to be regulatory, nor is it expected that establishments will adopt all the best practices (some best practices may simply not be relevant for all establishments). It is important to note that many of these best practices can be best implemented in partnership and with the cooperation of the Seattle Police Department and establishment patrons.

This document identifies specific best practices in the following topic areas:

- Security, in and outside establishments
- Employee training
- Noise
- Closing time procedures
- Neighbor relations
- Police relations
- Promotions and advertising

Best Practices

Security, In and Outside Establishments

1. Develop a detailed security plan and consult with police, fire, and other appropriate agencies to assure it meets their needs. Such a plan can include, but not be limited to:
 - a. **Staffing:** Assure an appropriate number of trained security staff to meet the needs of the crowd size, age of customers, type of entertainment, and length of entertainment. As a general rule, it's important to know who you hire; perform your own background and reference checks on employees. Another option is to contact the Washington State Patrol for background checks.
 - b. **Crowd Management:** Maintain a system for monitoring crowd size to adhere to occupancy limits. When lines form, direct them in such a way to not interfere with pedestrian traffic or create disturbances to neighbors.
 - c. **Incident Response:** Document a hierarchy of procedures when an incident occurs that may create a risk to the safety of customers, staff, or surrounding community, including when to call police and emergency services, what to do until they arrive and procedures for working with them when they are on the scene.
 - d. **Uniforms:** Establish clear policies on uniforms and dress code for employees so they can be easily identified by customers and by police in the event they have to be called to break-up a disturbance.

- e. **Incident Log:** Establish procedures for recording all relevant incidents in and around your establishment and procedures taken to manage them. Increasingly, establishments are relying upon video recording for this purpose.
- f. **Incident Review:** When there is a major incident have an immediate meeting with all staff involved, and if necessary, invite police to debrief and review what was done correctly and what could be done to improve. Document the results of the meeting in the incident log.
- g. **Lighting:** Assure proper lighting at your entrance(s) and areas you control to provide easy observation of any and all activity; if needed, ask your landlord to install additional lighting around the building's perimeter.
- h. **Communication:** Develop and regularly update a nightlife establishment call list to provide notification about customers creating a disturbance or who have been refused entry into your establishment.
- i. **"Bad actors":** Keep, update, and regularly share with other establishments and the police a list of individuals who you do not want in your establishment. People who are disruptive or engage in illegal activity are more trouble for you and your staff.
- j. **Access:** Invite periodic walk-through by the police representative in your precinct and never deny access by any government agency representing an enforcement or regulatory agency.
- k. **Restraint:** Maintain strict policies on use of force in restraint and train security staff in the proper management of fights or physical assaults to reduce potential harm.

Employee Training

Specific training should be provided for security, bartenders, and waitstaff.

1. Reducing underage drinking and intoxication are the most important strategies for maintaining a legal and profitable business. Develop a detailed responsible beverage service plan to include but not be limited to:
 - a. **Training:** The Seattle Police Department offers a Security Training Program. Security training is imperative for individuals who work physical security or screen patrons at the door. It is also extremely beneficial to any employee who regularly interacts with your clientele. Maintaining a highly-trained staff, ready to deal with difficult situations, is vital to the safety of both your patrons and your employees. Contact the Seattle Police Security Training Coordinator at (206) 684-8661. Enroll all staff in a responsible beverage service training program such as ServSafe (<http://www.servsafe.com/index.aspx>) or TIPS (<http://www.gettips.com/index.shtml>). Maintain records of training in personnel files.
 - b. **Age Identification:** Maintain strict policies on checking identification of all patrons and provide on-going monitoring and supervision of staff.
 - c. **Intoxication:** Reduce the risk of intoxication by limiting the use of drink specials or promotions, use standard measures for drinks, maintain a limit on the number of drinks a person can consume and intervene with anyone whose behavior is inappropriate regardless of whether or not they are intoxicated.

- d. **Transportation:** Establish procedures for arranging alternative transportation and work with local taxi companies to establish a designated location during closing time that people can go to for a cab. Have a list of transportation phone numbers available.
2. **Alternative Beverages:** Develop a selection of quality alternative beverages such as bottled teas, coffees, juice drinks for the designated driver or for people wanting to switch from alcoholic to non-alcoholic beverages during the evening.

Noise

Noise is typically the biggest issue that neighbors have with nightlife establishments. When considering opening an establishment, owners should take into account surrounding land uses, and the condition of the building. Older buildings (and some newer ones as well) typically do not have noise mitigation measures in place and may not have door vestibules, triple-glazed windows, or air conditioning. Nightlife establishments are responsible for the noise they create. Nightlife establishments can make improvements to better control noise that escapes from within their establishments and to better control noise from their patrons as they enter or exit their establishments. As noise mitigation measures can be expensive, a full understanding of the building's construction and the surrounding land uses should be fully considered prior to opening an establishment; it may be beneficial to talk with your landlord and request improvements. The following improvements may not be applicable to all establishments or be feasible to implement. They are intended to provide guidance on how to better understand noise and on how to reduce noise issues or prevent those issues from arising.

Improvements

1. **Monitor and set maximum noise levels:** The first step is to understand how much noise your establishment is producing. A sound level meter is useful to measure interior noise within your establishment to understand how loud it is at different times and with different types of music playing; measure exterior noise levels while your music is playing and while other exterior noises such as busses, sirens, etc. are at a minimum (while not currently prescribed, as a general rule levels at six feet from your door should not exceed 70 dBA and 80 dBC).
2. **Doors:** A relatively simple step is to keep all doors closed as much as possible (including kitchen and service doors); install a vestibule or double door.
3. **Expert advice:** If you are having noise issues, consider seeking advice from an acoustical expert to get recommendations for minimizing undesirable noise transmission and to reduce reverberant interior noise levels.
4. **Air conditioning:** Eliminate the need for opening windows by installing air conditioning or mechanical ventilation. This improvement can be expensive but may be necessary if you are having persistent noise issues.
5. **Exterior walls and windows:** While also expensive, insulating exterior walls and replacing single pane windows with insulated units or other sound control windows (seek expert advice on specifics) can reduce noise transmission. Keep windows closed as much as possible.

Patrons

1. **Visual cues:** Provide clearly visible reminders -- through interior and exterior signage in front of your establishment -- that your establishment is part of a neighborhood and that you respect their needs. Encourage your patrons with signage to respect your neighbors by refraining from:
 - a. Loud conversation when waiting in line outside, leaving your establishment, or when taking smoke breaks.
 - b. Hanging out in the street or adjacent parking lot after closing time
 - c. Playing loud music over their car stereos
2. **Staff role:** Ask your staff to promote your “good neighbor” efforts by walking along outside lines as a means to discourage disruptive behavior - if individuals do not refrain from disruptive behavior bar their admittance; have staff remind patrons that they are leaving your establishment but entering a neighborhood.

Closing Time Procedures

Most noise complaints are related to the noise people make when leaving establishments at the end of the evening. Similarly, other undesirable behavior such as littering, fighting, and public urination can occur at this time of the night. While controlling all of this behavior is not possible, having a well-thought out plan can minimize the negative effects of closing time on your surrounding neighborhood. Develop specific procedures to be used by your staff when closing:

1. **Phased let out:** Gradually raise lights at closing time and offer non-alcoholic beverages and/or food to avoid pushing everyone out onto the street at once; downplay last call to discourage intoxication and/or binge drinking at the end of the evening.
2. **Coordination:** Communicate your closing procedures with the Police and work with them to disperse crowds quickly and in an orderly fashion.
3. **Lighting:** Light your entrance and all areas within the control and responsibility of the establishment to provide easy observation of any and all activity.
4. **Staff:** Assign security to maintain order and movement of people outside the establishment and strategically position them along any lines that form to expedite pedestrian flow and serve as a visible presence to reduce potential conflicts.

Neighbor Relations

Developing and maintaining good relationships with your neighbors can have a number of benefits. Getting to know your neighbors gives you the opportunity to demonstrate that you are a businessperson, but that your business just happens to operate at night; that you are responsible and make an honest effort to be a good neighbor through a variety of means. Good relations also means listening to your neighbors concerns and showing a willingness to work with them and to do your best to address concerns, and in general being part of the community. By providing your neighbors with a “face and a name” you can also help to erase any stereotypes that may be associated with nightclubs and bars.

1. **Attend neighborhood meetings:** To get to know your neighbors, understand their concerns, and prevent issues from becoming problems, regularly attend and participate in your neighborhood meetings. Find out how to attend neighborhood meetings through the City of Seattle's Department of Neighborhoods at <http://www.seattle.gov/neighborhoods/net/>
2. **Ongoing communication:** Provide your/your manager's business contact information to neighbors so they can contact you with a problem before they call the police; there are many problems that can be solved quickly without involving the police. Respond to all calls within 24 hours.
3. **Litter:** Patrol in the front or around the establishment to remove any litter on the sidewalks or surrounding areas and cover up graffiti. At closing, conduct a final sweep of the area surrounding the establishment to remove any litter. Provide appropriate receptacles for safe disposal of cigarettes.

Police Relations

Developing and maintaining constructive relationships between individual establishments and the officers that work during nighttime hours is critical to the successful and safe operation of your establishment.

1. **Make it personal:** Get to know officers by asking to meet with them during the day and find out who the appropriate contact is for the precinct.
2. **Share information:** Give officers your cell phone number. Share information about upcoming events, past issues, and "bad actors".
3. **Make plans:** Inform the precinct police representative about what your security plans are, ask the police representative for input on them, and offer to work with them to determine the best way to manage security, avoid problems, and deal with problems before they escalate.

Promotions and Advertising

Promotions and advertising can say a lot about who you are and the type of business you operate. Establishments that promote happy hours with drink specials, post flyers on parked cars or telephone poles, or advertise events that could be viewed negatively run the risk of being perceived negatively. You could be viewed as encouraging drunken behavior with reduced price drink specials, may irritate parking patrons with unwanted advertisements on their cars (which also can result in litter on the street with your establishments name on it), and could invite trouble by promoting an event that may promise short-term rewards but could also result in a long-term negative public image. As a general rule, don't advertise anywhere unless you have permission.

1. **What makes you unique:** Focus your promotion efforts on what differentiates you from other establishments.
2. **Reach your target audiences:** Avoid unwanted promotions (most downtown parkers probably don't want flyers on their windshield and your flyer ends up as litter with your establishment's name on it); consider more targeted approaches that reach out to specific audiences.
3. **Have a plan:** Develop a long-term promotion and advertising strategy so you don't have to rely on "big and risky" events to turn a profit.